

FILED
UNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

MAY -7 2025

MITCHELL R. ELFEND
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE BENJAMIN LOPEZ-HERNANDEZ,

Defendant.

)
) NO. **CR 25-1102 GBW**
)
) Count 1: 8 U.S.C. § 1325(a)(1):
) Illegal Entry Without Inspection
)
) Count 2: 50 U.S.C. § 797 (Class A
) Misdemeanor): Penalty for Violation
) of Security Regulations
)
) Count 3: 18 U.S.C. § 1382: Entering
) Military Property.

INFORMATION

The United States Attorney charges:

On or about April 27, 2025, in Doña Ana County, in the District of New Mexico, the defendant, **JOSE BENJAMIN LOPEZ-HERNANDEZ**, who was then and there an alien, did knowingly and unlawfully enter the United States from the Republic of Mexico, at a place not designated as a lawful Port of Entry by immigration officials of the United States for the entrance of immigrants into the United States.

In violation of 8 U.S.C. § 1325(a)(1).

Count 2

On or about April 27, 2025 in Doña Ana County, in the District of New Mexico, the defendant, **JOSE BENJAMIN LOPEZ-HERNANDEZ**, willfully violated the order issued on April 18, 2025, by the U.S. Army Garrison Fort Huachuca military commander designating the New Mexico National Defense Areas, also known as the Roosevelt Reservation, as both a

restricted area and a controlled area under Army Regulation 190-13, prohibiting the unauthorized entry into the New Mexico National Defense Areas, a defense property security regulation.

In violation of 50 U.S.C. § 797.

Count 3

On or about April 27, 2025, in Doña Ana County, in the District of New Mexico, the defendant, **JOSE BENJAMIN LOPEZ-HERNANDEZ**, entered any military reservation, post, fort, arsenal, station, and installation, specifically, the New Mexico National Defense Areas, also known as the Roosevelt Reservation, which had been designated both a restricted area and a controlled area pursuant to U.S. Army Regulation 190-13 by the U.S. Army Garrison Fort Huachuca military commander, for any purpose prohibited by law or lawful regulation, specifically, 8 U.S.C. § 1325(a)(1), illegal entry without inspection.

In violation of 18 U.S.C. 1382.

RYAN ELLISON
United States Attorney

A handwritten signature in black ink, appearing to read 'JADK', is written over a horizontal line.

JAMES DICKENS
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